

\*E-filed 10/18/07\*

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

3M COMPANY,

Case No. C06-01225 JW (HRL)

Plaintiff,

**SUPPLEMENTAL ORDER ON  
OCTOBER 10, 2007 DISCOVERY  
ORDER**

v.

MAURICE KANBAR, MK  
ENTERPRISES, INC., ROLLIT, LLC, and  
REX PRODUCTS, INC.

Re: Docket No. 350

Defendants.

In Plaintiff's motion to compel, it sought paper pricing information related to the production of Defendants' current product, Zip Notes.<sup>1</sup> Defendants refused to produce such information on the grounds of irrelevance. In ruling on this issue, the court ordered Defendants "to produce all responsive, non-privileged paper pricing information about Zip Notes." (Docket No. 350).

The parties now dispute the scope of the order on the motion as it pertains to paper pricing information. The court permitted supplemental briefing on this issue<sup>2</sup> and clarifies the October 10, 2007 discovery order as follows:

<sup>1</sup> Plaintiff's request for production stated, "All documents referring or relating to paper pricing for Defendant's sticky notes."

<sup>2</sup> Regrettably, neither party found itself able to comply with the court's direction that the letter briefs be limited to two pages.

Defendants shall produce within 7 days of the date of this order:

(A) any communications between themselves, as well as between any of them and actual or potential paper suppliers which concern any of the following:

(1) the pricing of paper suitable for Zip Notes,

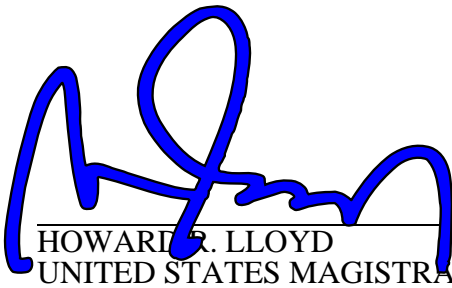
(2) the relationship between cost and color for Zip Notes paper;

(B) documents sufficient to show the colors and respective actual prices paid for Zip Notes paper.

Such information shall be produced subject to the protective order already in place.

**IT IS SO ORDERED.**

Dated: 10/18/07



HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

1 THIS IS TO CERTIFY THAT A COPY OF THIS ORDER WILL BE ELECTRONICALLY  
2 MAILED TO:

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13  
14 **Counsel are responsible for transmitting this order to co-counsel who have not signed up**  
15 **for e-filing.**

16  
17 Dated: 10/18/07

18 /s/ KRO  
Chambers of Magistrate Judge Howard R. Lloyd